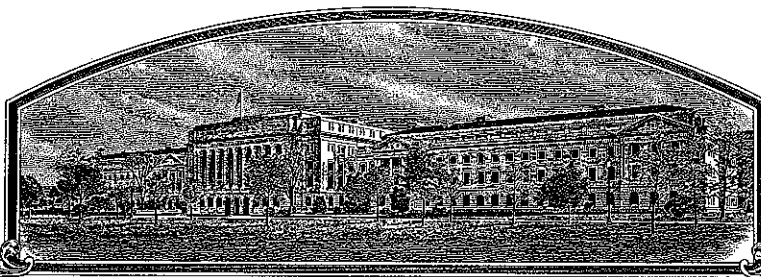


No.

200500220



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Syngenta Seeds, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. IN THE UNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF GENERATIONS SPECIFIED BY THE OWNER OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

WHEAT, COMMON

'Fannin'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this ninth day of June, in the year two thousand and six.

Attest:

Paul M. Zuker

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

W. L. Johnson

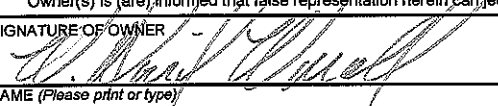
Secretary of Agriculture



U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE
APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (1 U.S.C. 2421). Information is held confidential until certificate is issued (1 U.S.C. 2426).

1. NAME OF OWNER Syngenta Seeds, Inc. AgriPro Wheat, a business unit of Advanta U.S.A., Inc.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER AP01T112		3. VARIETY NAME Fannin			
4. ADDRESS (Street and No. or RD No., City, State, Zip Code, and Country) 12167 Hwy. 70; Vernon, Texas 76384 P.O. Box 1739; Vernon, Texas 76385 806 North 2nd, P.O. Box 30 Berthoud, CO 80513-0030		5. TELEPHONE (include area code) 940.552.8881		FOR OFFICIAL USE ONLY PVPO NUMBER 200500220 FILING DATE April 21, 2005			
		6. FAX (include area code) 940.552.0061					
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM ORGANIZATION (corporation, partnership, association, etc.) Corporation		8. IF INCORPORATED, GIVE STATE OF INCORPORATION Delaware		9. DATE OF INCORPORATION 1985			
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers)							
<table border="0"> <tr> <td>Dr. David Worrall 12167 Hwy. 70; Vernon, Texas 76384</td> <td>Copy to : Chris Bruns PO Box 30 Berthoud, CO 80513 rbruns@frii.com</td> </tr> </table>						Dr. David Worrall 12167 Hwy. 70; Vernon, Texas 76384	Copy to : Chris Bruns PO Box 30 Berthoud, CO 80513 rbruns@frii.com
Dr. David Worrall 12167 Hwy. 70; Vernon, Texas 76384	Copy to : Chris Bruns PO Box 30 Berthoud, CO 80513 rbruns@frii.com						
11. TELEPHONE (Include area code) 940.552.8881		12. FAX (Include area code) 940.552.0061		FILING AND EXAMINATION FEES: \$ 3652.00 DATE 4/21/2005 CERTIFICATION FEE: \$ 768.00 DATE 4/24/06			
13. E-MAIL							
14. CROP KIND (Common Name) Hard Red Winter Wheat		15. GENUS AND SPECIES NAME OF CROP Triticum aestivum		16. FAMILY NAME (Botanical) Gramineae			
17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		18. DOES THE VARIETY CONTAIN ANY TRANSGENES? (OPTIONAL) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF SO, PLEASE GIVE THE ASSIGNED USDA-APHIS REFERENCE NUMBER FOR THE APPROVED PETITION TO DEREGULATE THE GENETICALLY MODIFIED PLANT FOR COMMERCIALIZATION.					
19. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse) a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$3,652), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)		20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act) <input checked="" type="checkbox"/> YES (If "yes", answer items 21 and 22 below) <input type="checkbox"/> NO (If "no", go to item 23) 21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED 22. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)					
23. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)		24. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)					
25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.							
SIGNATURE OF OWNER 		SIGNATURE OF OWNER					
NAME (Please print or type) Dr. David Worrall		NAME (Please print or type)					
CAPACITY OR TITLE Co-Manager AgriPro Wheat		CAPACITY OR TITLE		DATE			

(See reverse for instructions and information collection burden statement)

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (*in the sense that it will reproduce an entire plant*) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$3,652 (\$432 filing fee and \$3,220 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$432 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvpo/pvp.htm>

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority and provide evidence that name has been cleared by the appropriate recognized authority before the Certificate of Protection is issued. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, 10301 Baltimore Avenue, Suite 401 NAL Building, Beltsville, MD 20705. Telephone: (301) 504-5682 <http://www.ams.usda.gov/lsg/seed.htm>.

ITEM

- 19a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;
(2) the details of subsequent stages of selection and multiplication;
(3) evidence of uniformity and stability; and
(4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 19b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
(1) identify these varieties and state all differences objectively;
(2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
(3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 19c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 19d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 19e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
20. If "Yes" is specified (*seed of this variety be sold by variety name only, as a class of certified seed*), the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
23. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
24. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

22. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)

The variety 'Fannin' will be constituted from Breeder seed, and proceed through Foundation, Registered and Certified in succeeding generations. Generations which may be multiplied will be limited to Breeder seed, Foundation, Registered and Certified.

23. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

Certified seed stocks of Fannin will be available in the Fall of 2005.

24. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. The fees for filing a change of address; owner's representative; ownership or assignment; or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 1.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

Exhibit A. Origin and Breeding History of the Variety:

Fannin is the result of a cross made at the Texas Agricultural Experiment Station in Vernon, Texas in 1992. During testing, the cross was designated TX87V1613/WGRC11. TX87V1613 was an advanced experimental line developed by the Texas Agricultural Experiment Station with the pedigree TAM 105/3/NE70654/Blueboy//Bobwhite sib. WGRC11 was an experimental line developed at the Wheat Genetics Resources Center at Kansas State University with the pedigree Century*3/TA2450. TA2450 was an accession of *Triticum tauschii* with unique genes for leaf rust resistance. The F1 of this cross and subsequent generations of progeny were grown as unselected bulk populations at Chillicothe, Texas through the F6 generation. In 1998, a subsample of F6 seed was transferred under the Wheat Workers Code of Ethics to AgriPro Wheat. Approximately 100 individual spikes were randomly selected from the bulk population in the spring of 1999. Seed of these random selections were grown as discrete headrows in Lockett, Texas during the 1999-2000 winter wheat growing season. A single F7 headrow was selected in the spring of 2000 and its seed was advanced to preliminary yield tests in 2000-2001 under the experimental line designation, AP01T1112.

AP01T1112 has subsequently been tested in regional performance trials by AgriPro Wheat research personnel and in the USDA-administered Southern Regional Performance Nursery. Seed purification and multiplication was initiated from a 3000 headrow isolation nursery in Lockett, Texas in 2003. Approximately 1500 of the phenotypically uniform headrows were harvested. Seed of each harvested headrow was visually examined for uniformity and 867 individual rows were selected to be replanted. In 2004, seed of each of these rows were divided equally and identical isolated progeny plots (5'x70') were planted in Lockett, Texas and Lucerne, Colorado. Four hundred twenty four of these progeny plots were bulked to produce 18,344 pounds of breeder seed.

Fannin has been uniform and stable since 2003. Less than 0.5% of the total plants were rogued from the Breeder seed progeny increase in 2004. Approximately 80% of the variant plants were taller height wheat plants, approximately 10% were bronze chaffed wheat plants and approximately 10% of the variant plants were awnless wheat plants.

Exhibit B.
Statement of Distinctness

Fannin is most similar to the hard red winter wheat 'Tam 200'. However, it can be easily distinguished by the following morphological characteristics:

- Fannin has a middense spike density (Lucerne, Colorado 2003-2004 and Vernon, Texas greenhouse plants 2004). Tam 200 has a dense spike (Texas Dept. of Agriculture , Seed Certification Botanical Description July 28th 1987).
- Fannin has a long glume length (Lucerne, Colorado 2003-2004 and Vernon, Texas greenhouse plants 2004). Tam 200 has a short glume length. (Texas Dept. of Agriculture, Seed Certification Botanical Description July 28th 1987).
- Fannin has an ovate seed shape (Lucerne, Colorado 2003-2004 and Vernon, Texas greenhouse plants 2004). Tam 200 has an oval seed shape (Texas Dept. of Agriculture , Seed Certification Botanical Description July 28th 1987).
- Fannin has a short brush length (Lucerne, Colorado 2003-2004 and Vernon, Texas greenhouse plants 2004). Tam 200 has a medium brush length (Texas Dept. of Agriculture , Seed Certification Botanical Description July 28th 1987).
- Fannin has auricle anthocyanin and auricle hairs (Lucerne, Colorado 2003-2004 and Vernon, Texas greenhouse plants 2004). Tam 200 does not have anthocyanin and auricle hairs (Texas Dept. of Agriculture , Seed Certification Botanical Description July 28th 1987).

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 2.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

**U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE DIVISION
BELTSVILLE, MARYLAND 20705**

EXHIBIT C

**OBJECTIVE DESCRIPTION OF VARIETY
WHEAT (*Triticum* Spp.)**

NAME OF APPLICANT(S) AgriPro Wheat	TEMPORARY OR EXPERIMENTAL DESIGNATION AP01T1112	VARIETY NAME Fannin
ADDRESS (Street and No. or RD No., City, State, Zip Code, and Country) 12167 Hwy. 70; Vernon, Texas 76384 P.O. Box 1739; Vernon, Texas 76385		FOR OFFICIAL USE ONLY PVPO NUMBER 200500220

PLEASE READ ALL INSTRUCTIONS CAREFULLY:

Place the appropriate number that describes the varietal character of this variety in the boxes below. Place a zero in the first box (e.g.,

0	9	9
---	---	---

 or

0	9
---	---

) when number is either 99 or less or 9 or less respectively. Data for quantitative plant characters should be based on a minimum of 100 plants. Comparative data should be determined from varieties entered in the same trial. Royal Horticultural Society or any recognized color standard may be used to determine plant colors; designate system used: _____ Please answer all questions for your variety; lack of response may delay progress of your application.

1. KIND:

1

1=Common
2=Durum
3=Club
4=Other (specify) _____

2. VERNALIZATION:

2

1=Spring
2=Winter
3=Other (specify) _____

3. COLEOPTILE ANTHOCYANIN:

1

1=Absent 2=Present

4. JUVENILE PLANT GROWTH:

2

1=Prostrate 2=Semi-erect 3=Erect

5. PLANT COLOR (boot stage):

2

1 = Yellow-Green
2 = Green
3 = Blue-Green

6. FLAG LEAF (boot stage):

1

1 = Erect 2 = Recurved

2

1 = Not Twisted 2 = Twisted

2

1 = Wax Absent 2 = Wax Present

7. EAR EMERGENCE:

1	0	0
---	---	---

Number of Days (Average)

0	2
---	---

Number of Days Earlier Than

* Jagalene

--	--

Same As

* _____

Number of Days Later Than

* _____

*Relative to a PVPO-Approved Commercial Variety Grown in the Same Trial

8. ANTER COLOR:

1

1 = YELLOW 2 = PURPLE

9. PLANT HEIGHT: (from soil to top of head, excluding awns):

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0	6	9
---	---	---

cm (Average)

--	--

cm Taller Than

--	--

Same As

cm Shorter Than

* _____

* Jagalene

* _____

10. STEM:

A. ANTHOCYANIN

1

1 = Absent 2 = Present

B. WAXY BLOOM

2

1 = Absent 2 = Present

C. HAIRINESS (last internode of rachis)

2

1 = Absent 2 = Present

D. INTERNODE

1

1 = Hollow 2 = Semi-solid 3 = Solid

5

Number of Nodes

E. PEDUNCLE

2

1 = Erect 2 = Recurved 3 = Semi-erect

0	6
---	---

cm Length

F. AURICLE

2

Anthocyanin 1 = Absent 2 = Present

2

Hair: 1 = Absent 2 = Present

11. HEAD: (At Maturity)

A. DENSITY

2

1 = Lax
2 = Middense (Laxidense)
3 = Dense

B. SHAPE

1

1 = Tapering
2 = Clavate
3 = Strap
4 = Other (specify) _____

C. CURVATURE

2

1 = Erect
2 = Inclined
3 = Recurved

D. AWNEDNESS

4

1 = Awnless
2 = Apically awnletted
3 = Awnletted
4 = Awned

12. GLUMES: (At Maturity)

A. COLOR

1

1 = White
2 = Tan
3 = Other (specify) _____

E. BEAK WIDTH

2

1 = Narrow
2 = Medium
3 = Wide

B. SHOULDER

4

1 = Wanting 2 = Oblique
3 = Rounded 4 = Square
5 = Elevated 6 = Apiculate
7 = Other (Specify) _____

F. GLUME LENGTH

3

1 = Short (ca. 7mm)
2 = Medium (ca. 8mm)
3 = Long (ca. 9mm)

C. SHOULDER WIDTH

1

1 = Narrow
2 = Medium
3 = Wide

G. WIDTH

1

1 = Narrow (ca. 3mm)
2 = Medium (ca. 3.5mm)
3 = Long (ca. 4mm)

D. BEAK

3

1 = Obtuse
2 = Acute
3 = Acuminate

13. SEED:

200500220

A. SHAPE

1

- 1 = Ovate
2 = Oval
3 = Elliptical

B. CHEEK

1

- 1=Rounded
2=Angular

C. BRUSH

1

- 1 = Short
2 = Medium
3 = Long

2

- 1 = Not Collared
2 = Collared

D. CREASE

1

- 1 = Width 60% or less of Kernel
2 = Width 80% or less of Kernel
3 = Width Nearly as Wide as Kernel

1

- 1 = Depth 20% or less of Kernel
2 = Depth 35% or less of Kernel
3 = Depth 50% or less of Kernel

E. COLOR

3

- 1 = White
2 = Amber
3 = Red
4 = Other (Specify) _____

F. TEXTURE

1

- 1 = Hard
2 = Soft
3 = Other (Specify) _____

G. PHENOL REACTION (See Instructions)

0

- 1 = Ivory
2 = Fawn
3 = Light Brown
4 = Dark Brown
5 = Black

H. SEED WEIGHT

N A

g/1000 Seed (Whole number only)

I. GERM SIZE

3

- 1 = Small
2 = Midsize
3 = Large

14. DISEASE:

PLEASE INDICATE THE SPECIFIC RACE OR STRAIN TESTED

(0 = Not Tested 1 = Susceptible 2 = Resistant 3 = Intermediate 4 = Tolerant)

2Stem Rust (*Puccinia graminis* f. sp. *tritici*)Field **3**Leaf Rust (*Puccinia recondita* f. sp. *tritici*)

Field races

Stripe Rust (*Puccinia striiformis*)races **0**Loose Smut (*Ustilago tritici*)Tan Spot (*Pyrenophora tritici-repentis*)**0**Flag Smut (*Urocystis agropyri*)**0**Halo Spot (*Selenophoma donacis*)**0**Common Bunt (*Tilletia tritici* or *T. laevis*)

Septoria nodorum (Glume Blotch)

0Dwarf Bunt (*Tilletia controversa*)**0**

Septoria avenae (Speckled Leaf Disease)

0Karnal Bunt (*Tilletia indica*)

Septoria tritici (Speckled Leaf Blotch)

2Powdery Mildew (*Erysiphe graminis* f. sp. *tritici*)

Field races

0Scab (*Fusarium* spp.)**0**

Snow Molds

0

Black Point (Kernel Smudge)

0Common Root Rot (*Fusarium*, *Cochliobolus* and *Bipolaris* spp.)**0**

Barley Yellow Dwarf Virus (BYDV)

0Rhizoctonia Root Rot (*Rhizoctonia solani*)**0**

Soilborne Mosaic Virus (SBMV)

0Black Chaff (*Xanthomonas campestris* pv. *translucens*)**0**

Wheat Yellow (Spindle Streak) Mosaic Virus

0Bacterial Leaf Blight (*Pseudomonas syringae* pv. *syringae*)**0**

Wheat Streak Mosaic Virus (WSMV)

Other (specify) _____

Other (specify) _____

Other (specify) _____

Other (specify) _____

Other (specify) _____

Other (specify) _____

Other (specify) _____

15. INSECT:

(0=Not Tested; 1=Susceptible; 2=Resistant; 3=Intermediate; 4=Tolerant)

PLEASE SPECIFY BIOTYPE (where needed)

0Hessian Fly (*Mayetiola destructor*)

Other (specify) _____

0Stem Sawfly (*Cephus* spp.)

Other (specify) _____

0Cereal Leaf Beetle (*Oulema melanopa*)

Other (specify) _____

ST-470-06 (4-03) designed by the Plant Variety Protection Office using Microsoft Word

15. INSECT: (continued)

(0=Not Tested; 1=Susceptible; 2=Resistant; 3=Intermediate; 4=Tolerant)

PLEASE SPECIFY BIOTYPE (where needed)

2005 00220

0

Russian Aphid (*Diuraphis noxia*)

☐

Other (specify)

2

Greenbug (*Schizaphis graminum*) "C"

☐

Other (specify)

0

Aphids

16. ADDITIONAL INFORMATION ON ANY ITEM ABOVE, OR GENERAL COMMENTS:

None

Exhibit D.
Additional Description of Fannin

Fannin is a hard red winter wheat developed and released by AgriPro Wheat. Fannin is an intermediate height semidwarf with intermediate maturity and willowy straw. Fannin is tolerant to currently prevalent races of Leaf rust in Texas and Oklahoma. It is resistant to the current races of Stripe rust and Powdery mildew. Fannin produces more Fall forage than other hard red winter wheat cultivars traditionally grown in the Southwestern Oklahoma through the Texas Rolling Plains into Central Texas.

Juvenile growth habit is semierect. Plant color is green at boot stage. The flag leaf is erect and twisted. Anther color is yellow. Auricle anthocyanin and auricle hairs are present. Waxy bloom is present on the stem, flag leaf sheath and head. The head is tapering, middense and awned. The glume at maturity is long in length and narrow in width. Shoulder shape on the glume is square with an acuminate beak. Seed shape is ovate. Brush hair length is short. Seed cheeks are rounded. Seed crease width is narrow and depth is shallow.

Fannin is primarily adapted in the region south of Interstate 40 in Oklahoma and off the Caprock in Texas.

Exhibit F - AgriPro Quality Summary**Flour/Wheat Quality**

	Year-Loc	Wht Prot	Flr Prot	Norris Hard	Flr Yld%	Ash	Peak Time/min	PeakHT N.U.	Tol.mm
Fannin	2003 - VT	13.7	12.4	55	69.9	0.435	5.0	5.0	1161
	2004 - MK	14.8	14.0	91	62.7	0.461	3.0	5.0	585
	2004 - SK	13.8	12.4	65	66.3	0.398	6.5	5.0	956
	2004 - VD	14.9	13.3	69	64.3	0.456	4.0	4.8	1023
	Average:	14.3	13.0	70	65.8	0.438	4.6	4.9	931
Cutter	2003 - VT	14.0	12.7	82	70.9	0.388	5.0	5.0	1263
	2004 - MK	15.5	14.3	102	66.4	0.461	3.5	5.3	757
	2004 - SK	12.9	12.0	88	70.5	0.419	5.5	4.8	1084
	2004 - VD	12.4	11.1	69	66.5	0.451	4.5	5.3	1299
	Average:	13.7	12.5	85	68.6	0.43	4.6	5.1	1101

Baking Quality

	Year-Loc	Mix Abs.%	Loaf Time/min	Vol/cc	Grain	Tex	Color
Fannin	2003 - VT	64	4.1	1070	4	3	3
	2004 - MK	65	3.2	930	4	3	3
	2004 - SK	64	5.5	1010	4	2	2
	2004 - VD	68	4.0	840	4	3	4
	Average:	65.3	4.2	963	4	3	3
Cutter	2003 - VT	64	4.5	975	3	3	3
	2004 - MK	67	4.0	1115	4	2	3
	2004 - SK	64	5.5	950	4	2	3
	2004 - VD	65	4.5	800	3	3	4
	Average:	65	4.63	960	4	3	3

Exhibit F - Agronomic Data**Yield and agronomic data for selected wheat cultivars****AgriPro Wheat Standard Variety Trial****2003 and 2004**

CULTIVAR	YEAR	YIELD		TEST WEIGHT		HEIGHT	DH		FORAGE	
		2003	2004	2003	2004	2003	2003	2004	2003	2004
	# Loc	4	4	5	7	5	2	1	1	1
		bu/ac		lb/bu		cm	Julian Days		lbs. dry matter/ac	
JAGALENE		51.0	46.8	59.8	59.0	68.6	107	97	3806	7450
CUTTER		47.0	51.9	58.1	58.0	71.1	110	101	4299	6044
FANNIN		46.5	40.3	58.7	57.0	68.6	105	94	4749	7619
CORONADO		44.8	40.8	57.2	57.0	58.4	106	97	-	-
THUNDERBOLT		36.5	39.6	58.1	57.0	71.1	110	104	2073	6350
LONGHORN		29.2	40.8	56.0	56.0	71.1	111	107	4847	6056

CULTIVAR	YEAR	LEAF RUST		STRIPE RUST		PM	
		2003	2004	2003	2004	2003	2004
	# Loc	2	5	2	1	2	1
JAGALENE		R	S	R	R	S	S
CUTTER		R	S	R	R	S	S
FANNIN		R	MR	R	R	R	R
CORONADO		MS	S	S	S	S	S
THUNDERBOLT		S	S	MR	MR	S	S
LONGHORN		MR	S	S	S	R	S

LOC-- Number of locations Oklahoma and Texas trials

PM-- Powdery Mildew

DH-- Days to 50% heading

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

1. NAME OF APPLICANT(S) <i>Syringta Seeds, Inc.</i> <i>Agripro Wheat, a business unit of Advanta U.S.A., Inc.</i>	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER AP01T1112	3. VARIETY NAME Fannin
4. ADDRESS (Street and No. or RD No., City, State, Zip Code, and Country) 12167 Hwy. 70; Vernon, Texas 76384 P.O. Box 1739; Vernon, Texas 76385	5. TELEPHONE (include area code) 940.552.8881	6. FAX (include area code) 940.552.0061
7. PVPO NUMBER <div style="text-align: right; font-size: 1.5em;">200500220</div>		

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain ☒ YES ☐ NO

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country. ☒ YES ☐ NO

10. Is the applicant the original owner? ☒ YES ☐ NO If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?

☐ YES ☐ NO If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?

☐ YES ☐ NO If no, give name of country

11. Additional explanation on ownership (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

Please see following page.

PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provide and employer.

Exhibit E.
Statement of the Basis of Applicant's Ownership

The variety for which Plant Variety Protection is hereby sought was originally developed as a breeding population by Dr. David Worrall at Texas A&M University. By Agreement, this F6 population was shared with AgriPro in 1998 with all rights being transferred to AgriPro.

Dr. David Worrall, an employee of Agripro Wheat, a business unit of Advanta U.S.A., Inc. completed the development of this variety. By agreement between employees and Agripro Wheat all rights to any invention, discovery, or development made by the employee while employed by Agripro Wheat, were assigned to Agripro Wheat, with no rights of any kind pertaining to 'Fannin' being retained by the employees.

Burden and Nondiscrimination Statements

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average .0200 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

USDA, Agricultural Marketing Service
Science and Technology Programs
PLANT VARIETY PROTECTION OFFICE

10301 Baltimore Avenue, Room 401 NAL Building
Beltsville, Maryland, USA 20705
Office: (301) 504-5518 Fax: (301) 504-5291

RECORDATION FORM

To the Commissioner of Plant Variety Protection: Please record the attached original documents or copy thereof.

1. Current Owner(s) of Record

Name Advanta USA, Inc. , and United Grain Growers Limited and Agripro Seeds, Inc. , and UGG and Agripro Wheat a business unit of Advanta USA, Inc. , and Agripro Wheat a business unit of Advanta USA, Inc.

Address: 806 North 2nd, P.O. Box 30

Berthoud, Colorado 80513-0030

Phone 970-532-3721 FAX 970-532-2035

E-mail Rob.Bruns@Syngetna.com

2. Type of Recordation

- ☒ Assignment
☐ Security Interest, License, Grant, Conveyance
☐ Merger
☒ Change of Name of Owner(s)
☐ Revocation of Assignment, Security Interest, License, Grant, or Conveyance
☐ Change of Address of Owner(s)
☐ Change of Representative (and address)
☐ Change of Address of Representative
☐ Change of Variety Name (Denomination)
☐ Election of "Certified Seed Only" Option
☐ Other (specify) _____

Date Change went into Effect January 1, 2006

3. New Owner(s)

Name Syngenta Seeds, Inc.

Address: 806 North 2nd, P.O. Box 30

Berthoud, Colorado 80513-0030

Phone 970-532-3721 FAX 970-532-2035

E-mail Rob.Bruns@Syngetna.com

4. New Representative

Name Rob Bruns
Syngenta Seeds, Inc.

Address: 806 North 2nd, P.O. Box 30

Berthoud, Colorado 80513-0030

Phone 970-532-3721 FAX 970-532-2035

E-mail Rob.Bruns@Syngetna.com

7. List PVP Number(s), Crop Kind(s), Variety Name(s). Attach list if more space is needed.

[Please note that listed applications and certificates must be active. Recordations cannot be performed on inactive cases.]

9 Common Wheat Varieties – see attached list

8. Total number of applications/certificates involved: 9 Total Fee (97.175)\$ 369.00

Fees must be paid in U.S. funds. Make checks payable to "Treasurer of the United States." Contact the PVP office for credit card payments.

9. Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Rob Bruns – Head NAFTA Cereals
Name of Person Signing

Signature

May 1, 2006
Date